AMENDMENTS TO THE CLAIMS

Please substitute amended claims 1, 11 and 25 for previously amended claims 1, 11 and 25.

1. (Currently Amended) A[[n]] cement admixture for cementitious compositions comprising a polymer, a surfactant, and a hydrophobic material that is an organic ester of an aliphatic carboxylic acid, wherein the polymer is present in the admixture from about 0.5% to about 20% based on the total weight of the admixture, the organic ester of an aliphatic carboxylic acid is present in the admixture from about 20% to about 50% based on the total weight of the admixture, and the surfactant is present in the admixture from about 3% to about 15% based on the total weight of the admixture, said admixture providing water repellant properties to the cementitious composition.

2. (Original) The admixture of claim 1, wherein the organic ester of an aliphatic carboxylic acid is represented by the general formula R_1-R_2, wherein R_1 is C_{12}-C_{18} aliphatic carboxylic acid ester, and R_2 is a linear or branched C_1 to C_{10} alkyl.

3. (Original) The admixture of claim 2, wherein the aliphatic carboxylic acid ester is selected from the group consisting of stearate, oleate, laurate, palmitate, myristic ester, linoleic ester, coconut oil, castor oil, and mixtures thereof.

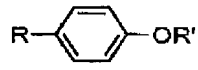
4. (Original) The admixture of claim 1, wherein the hydrophobic material is selected from the group consisting of butyl stearate, butyl oleate, and mixtures thereof.

5. (Previously Presented) The admixture of claim 1, wherein the polymer is a latex polymer selected from the group consisting of styrene butadiene copolymer latex, polyacrylate latex, polymethacrylate latex, carboxylated styrene latex, isoprene-styrene copolymer latex, and mixtures thereof.

6. (Previously Presented) The admixture of claim 5, wherein the latex polymer is a styrene butadiene copolymer latex.

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7. (Original) The admixture of claim 1, wherein the surfactant is selected from the group consisting of ionic surfactants, non-ionic surfactants, amphoteric surfactants, and mixtures thereof.

8. (Original) The admixture of claim 1, wherein the surfactant is an ethoxylated alkyl phenol having the general structure , wherein R=C_1 to C_{20} alkyl, and R'=-$(CH_2CH_2$-$O)_n$-, n=1 to 100.

9. (Original) The admixture of claim 1, wherein the polymer has a number average molecular weight from about 500 to about 50,000.

10. (Cancelled)

11. (Currently Amended) A cementitious composition comprising cement[[,]] and at least one cement admixture, wherein the admixture comprises a polymer, a surfactant, and a hydrophobic material that is an organic ester of an aliphatic carboxylic acid, wherein the polymer is present in the admixture from about 0.5% to about 20% based on the total weight of the admixture, the organic ester of an aliphatic carboxylic acid is present in the admixture from about 20% to about 50% based on the total weight of the admixture, and the surfactant is present in the admixture from about 3% to about 15% based on the total weight of the admixture, said admixture providing water repellant properties to the cementitious composition.

12. (Original) The cementitious composition of claim 11, wherein the polymer, the surfactant, and the hydrophobic material are added to the cement as an admixture.

13. (Original) The cementitious composition of claim 12, wherein the admixture is present in an amount from about 2 fluid ounces per hundred weight of cement to about 40 fluid ounces per hundred weight of cement.

14. (Original) The cementitious composition of claim 11, wherein the organic ester of an aliphatic carboxylic acid is represented by the general formula R_1-R_2, wherein R_1 is C_{12}-C_{18} aliphatic carboxylic acid ester, and R_2 is a linear or branched C_1 to C_{10} alkyl.

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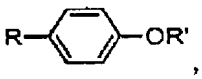
15. (Original) The cementitious composition of claim 14, wherein the aliphatic carboxylic acid ester is selected from the group consisting of stearate, oleate, laurate, palmitate, myristic ester, linoleic ester, coconut oil, castor oil, and mixtures thereof.

16. (Original) The cementitious composition of claim 11, wherein the hydrophobic material is selected from the group consisting of butyl stearate, butyl oleate, and mixtures thereof.

17. (Previously Presented) The cementitious composition of claim 11, wherein the polymer is a latex polymer selected from the group consisting of styrene butadiene copolymer latex, polyacrylate latex, polymethacrylate latex, carboxylated styrene latex, isoprene-styrene copolymer, and mixtures thereof.

18. (Previously Presented) The cementitious composition of claim 17, wherein the latex polymer is a styrene butadiene copolymer latex.

19. (Original) The cementitious composition of claim 11, wherein the surfactant is selected from the group consisting of ionic surfactants, non-ionic surfactants, amphoteric surfactants, and mixtures thereof.

20. (Original) The cementitious composition of claim 11, wherein the surfactant is an ethoxylated alkyl phenol having the general structure 

, wherein R=C_1 to C_{20} alkyl, and R'=-$(CH_2CH_2-O)_n$-, n=1 to 100.

21. (Original) The cementitious composition of claim 11, wherein the polymer has a number average molecular weight from about 500 to about 50,000.

22. (Cancelled)

23. (Original) The cementitious composition of claim 11, wherein the cement is selected from the group consisting of calcium aluminate cement, hydratable alumina, hydratable aluminum oxide, colloidal silica, silicon oxide, portland cement, magnesia, pozzolan containing cements, and mixtures thereof.

24. (Original) The cementitious composition of claim 11 further comprising at least one of a set accelerator, a set retarder, an air entraining agent, an air detraining agent, a

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foaming agent, a defoaming agent, a corrosion inhibitor, a shrinkage reducing agent, a pozzolan, a dispersing agent, a pigment, a coarse aggregate, and a fine aggregate.

25. (Currently Amended) A method of forming a cementitious composition comprising mixing cement[[,]] and at least one cement admixture, wherein the admixture comprises a polymer, a surfactant, and a hydrophobic material that is an organic ester of an aliphatic carboxylic acid, wherein the polymer is present in the admixture from about 0.5% to about 20% based on the total weight of the admixture, the organic ester of an aliphatic carboxylic acid is present in the admixture from about 20% to about 50% based on the total weight of the admixture, and the surfactant is present in the admixture from about 3% to about 15% based on the total weight of the admixture, said admixture providing water repellant properties to the cementitious composition.

26. (Original) The method of claim 25, wherein the polymer, the surfactant, and the hydrophobic material are added to the cement as an admixture.

27. (Original) The method of claim 26, wherein the admixture is present in an amount from about 2 fluid ounces per hundred weight of cement to about 40 fluid ounces per hundred weight of cement.

28. (Original) The method of claim 25, wherein the organic ester of an aliphatic carboxylic acid is represented by the general formula R_1-R_2, wherein R_1 is C_{12}-C_{18} aliphatic carboxylic acid ester, and R_2 is a linear or branched C_1 to C_{10} alkyl.

29. (Original) The method of claim 28, wherein the aliphatic carboxylic acid ester is selected from the group consisting of stearate, oleate, laurate, palmitate, myristic ester, linoleic ester, coconut oil, castor oil, and mixtures thereof.

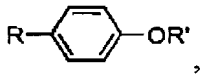
30. (Original) The method of claim 25, wherein the hydrophobic material is selected from the group consisting of butyl stearate, butyl oleate, and mixtures thereof.

31. (Previously Presented) The method of claim 25, wherein the polymer is a latex polymer selected from the group consisting of styrene butadiene copolymer latex, polyacrylate latex, polymethacrylate latex, carboxylated styrene latex, isoprene-styrene copolymer latex, and mixtures thereof.

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32. (Previously Presented) The method of claim 31, wherein the latex polymer is a styrene butadiene copolymer latex.

33. (Original) The method of claim 25, wherein the surfactant is selected from the group consisting of ionic surfactants, non-ionic surfactants, amphoteric surfactants, and mixtures thereof.

34. (Original) The method of claim 25, wherein the surfactant is an ethoxylated alkyl phenol having the general structure , wherein R=C_1 to C_{20} alkyl, and R'=-$(CH_2CH_2$-$O)_n$-, n=1 to 100.

35. (Original) The method of claim 25, wherein the polymer has a number average molecular weight from about 500 to about 50,000.

36. (Cancelled)

37. (Original) The method of claim 25, wherein the cement is selected from the group consisting of calcium aluminate cement, hydratable alumina, hydratable aluminum oxide, colloidal silica, silicon oxide, portland cement, magnesia, pozzolan containing cements, and mixtures thereof.

38. (Original) The method of claim 25, further comprising at least one of a set accelerator, a set retarder, an air entraining agent, an air detraining agent, a foaming agent, a defoaming agent, a corrosion inhibitor, a shrinkage reducing agent, a pozzolan, a dispersing agent, a pigment, a coarse aggregate, and a fine aggregate.

The amendments to the claims are shown according to the revised amendment format of 37 CFR 1.121.

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